

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194
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BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.05 M, Closed Area No. 29-A, Owl's Head, previously amended on December 8, 2000. This amendment is an administrative change, and moves all of the areas that were previously described in Area No. 28-E, and one area at Otter Point that was previously described in Area 28-I, into this rule. There are no classification changes. All existing pollution and red tide/PSP closures remain in effect. As authorized by 12 M.R.S. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.05(M).

RULE TITLE AND SUBJECT: DMR Chapter 95.05 M, Closed Area No. 29-A, Owl's Head, previously amended on December 8, 2000, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.05(M), ~~Closed Area No. 29-A,~~ Otter Point to Owls Head (Owls Head)

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from shores, flats, and waters of the following areas:

- A. Inside and shoreward of a line beginning at the northeast tip of Otter Point, then running northeast to the south tip of Birch Point.
- B. Inside and shoreward of a line beginning at the northeast tip of Birch point, then running in an easterly direction to the north tip of Ash Island, then running in a northerly direction to the east tip of Ash Point.
- C. Inside and shoreward of a line beginning at the east tip of Ash Point, then running in a northerly direction to the south tip of Ginn Point, then running northeast to the red nun navigational buoy '4', then running in a north-northeasterly direction to the green can navigational buoy '7', then running in a northwesterly direction to the east tip of Owls Head.

~~1. Effective immediately because of pollution it shall be unlawful to dig, take or possess any clams, quahogs, oysters, or mussels taken from the shores, flats and waters of Owl's Head, Knox County, west of a line beginning at Ash Point and running northerly to Ginn Point; then continuing northeasterly to red navigational nun # "4" and continuing northeasterly to the green navigational can # "7" and then continuing northwesterly to the eastern most tip of Owls Head.~~

EFFECTIVE DATE: July 18, 2011

EFFECTIVE TIME: 9:31 AM

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Maine Department of Marine Resources

Pollution Area No. 29-A

Otter Pt to Owls Head (Owls Head)



7/18/11

